

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

REMO HARRISON DANIELS,

Plaintiff,

v.

WAUPUN CORRECTIONAL  
INSTITUTION,

Defendant.

Case No. 16-CV-1632-JPS

**ORDER**

On December 14, 2016, the plaintiff filed a motion to dismiss this action voluntarily because he “made a mistake because of a misunderstanding.” (Docket #5). He seeks dismissal of the action without prejudice. *Id.* Dismissal is proper because no party has yet answered the complaint. Fed. R. Civ. P. 41(a)(1)(A)(i). The Court will, therefore, dismiss this action without prejudice. *Id.*

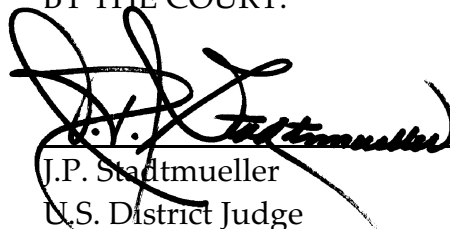
Accordingly,

**IT IS ORDERED** that the plaintiff’s motion for voluntary dismissal (Docket #5) be and the same is hereby **GRANTED**; and

**IT IS FURTHER ORDERED** that this action be and the same is hereby **DISMISSED without prejudice**.

Dated at Milwaukee, Wisconsin, this 15th day of December, 2016.

BY THE COURT:

  
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J.P. Stadtmueller  
U.S. District Judge